

## CITY OF ENNIS COMMISSION WORKSHOP

JUNE 1, 2015

6:00 P.M.

Mayor Thomas called the meeting to order at 6:00 p.m. on June 1, 2015, in the City Commission Chambers of the City of Ennis Municipal Building, 115 W. Brown Street, Ennis, Texas 75119.

PRESENT: Mayor Thomas, Commissioners Frazier, Hackney, Walker, and Holley, City Manager Ewing, City Attorney Wilson, City Secretary Batchler, Economic Development Coordinator Nelson. Commissioners Salik and Searcy were not in attendance.

### DISTANCE REQUIREMENTS FOR ALCOHOL SALES IN DOWNTOWN AREA

Economic Development Coordinator Nelson presented an overview of the current ordinance governing alcohol sales and the proposed amendments to the ordinance. The State Alcohol Beverage Code Title 4, Chapter 104 mandates no distance restriction. The State Code allows the governing body to establish a distance restriction. In 1965 the Ennis City Commission adopted an ordinance establishing a 300 foot restriction from door to door regarding the serve/sale businesses verses distance to schools, churches and hospitals. As currently written, variances cannot be considered. The State Alcohol Beverage Code allows the governing body to consider variances. The criteria used in considering a variance or exception is specified in the state code. Alcoholic Beverage Code; Section 109.33 "Sales near School, Church or Hospital": The governing body may allow variances to the regulation if the governing body determines that enforcement of the regulation in a particular instance is not in the best interest of the public, constitutes waste or inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or for any other reason the governing body, after consideration of health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community. The options are: 1) Do nothing, 2) Grant a blanket variance for downtown, 3) Allow variance requests on a case-by-case basis (Version 1-Bars and Restaurants must seek variance for downtown only. Version 2-Bars must seek variance for downtown only.). Restaurants that make less than 50% revenue from the sale of alcohol would secure a "Food and Beverage Permit" from the Texas Alcohol and Beverage Commission. No effect on Zoning and does not change permitting or licensing with the Texas Alcohol and Beverage Commission.

### DOWNTOWN MASTER PLAN

The proposal to include in the budget amendments \$60,000 to fund the commencement of creating the Downtown Master Plan was discussed.

Mayor Thomas adjourned the workshop at 6:30 p.m.

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Donna Batchler, City Secretary

